

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

MEREL EVANS BISHOP,

Case No. 19-CV-794-ECT-KMM

Plaintiff,

v.

REPORT AND RECOMMENDATION

CHAD MESOJEDEC; KAREN
DALLUGE; JESSICA GEIL; SANDRA
L. BRYANT; NICOLE SMITH;
JORDAN GOODMAN; RYAN HULKE;
STACEY SONNEK; and ALL
MEMBERS OF THE SPIRITUAL
PRACTICES ADVISORY COMMITTEE
(SPAC), in their individual and official
capacities,

Defendants.

In an order dated March 20, 2019, Judge Joan N. Ericksen ordered plaintiff Merel Evans Bishop to submit “an amended pleading . . . that presents his individual claims specifically as they relate to him” and a new application to proceed *in forma pauperis*. ECF No. 2 at 2. This Court directed Mr. Bishop on March 22, 2019, to submit the required documents within 30 days, failing which it would be recommended that this action be dismissed without prejudice for failure to prosecute. *See* ECF No. 3 (citing Fed. R. Civ. P. 41(b)).

That deadline has now long since passed, and Mr. Bishop has not filed an amended complaint or application to proceed *in forma pauperis*. In fact, Mr. Bishop has not communicated with the Court about this case at all since this action was commenced.

Accordingly, this Court now recommends, in accordance with its prior order, that this action be dismissed without prejudice under Rule 41(b) for failure to prosecute. *See Henderson v. Renaissance Grand Hotel*, 267 Fed. App'x 496, 497 (8th Cir. 2008) (per curiam) (“A district court has discretion to dismiss an action under Rule 41(b) for a plaintiff’s failure to prosecute, or to comply with the Federal Rules of Civil Procedure or any court order.”).

RECOMMENDATION

Based upon the foregoing, and on all of the files, records, and proceedings herein, IT IS HEREBY RECOMMENDED that this action be DISMISSED WITHOUT PREJUDICE under Fed. R. Civ. P. 41(b) for failure to prosecute.

Date: June 13, 2019

s/Katherine Menendez

Katherine Menendez
United States Magistrate Judge

NOTICE

Filing Objections: This Report and Recommendation is not an order or judgment of the District Court and is therefore not appealable directly to the Eighth Circuit Court of Appeals.

Under Local Rule 72.2(b)(1), “a party may file and serve specific written objections to a magistrate judge’s proposed finding and recommendations within 14 days after being served a copy” of the Report and Recommendation. A party may respond to those objections within 14 days after being served a copy of the objections. *See* Local Rule 72.2(b)(2). All objections and responses must comply with the word or line limits set forth in Local Rule 72.2(c).